

PLAN AND ZONING COMMISSION  
MEETING MINUTES  
May 7, 2024

**CALL TO ORDER:** The meeting was called to order at 6:01pm on Tuesday May 7, 2024.

**ROLL CALL:**

Members Present: Steve Briney (remote participant), Bob Buchanan, Mike Buzicky, Robert DeAtley and Philip Schaefer

Members Absent: Chad Graham and Mandi Simeone

Others Present: Village Attorney Joe Chamley, Village Administrator Patrick Brown, and Village Planner Abby Heckman.

Mr. DeAtley stated that Mr. Briney was joining the meeting remotely and has given a reason deemed appropriate by the Village. Per Village policy Mr. Briney can participate remotely so long as there is no objection from any PZC member present. Are there any objections at this time. Hearing no objections, Mr. Briney can participate remotely.

**PUBLIC COMMENT:** Mr. DeAtley asked if there were any public comments related to items that are not on the agenda. No one came forward to speak. No comments were submitted to staff in advance of the meeting.

**MINUTES:** March 5, 2024

Abby Heckman stated March minutes were included, and the April minutes would be presented in the future.

Mr. Buchanan moved to approve the March 2024 minutes as presented. Mr. Buzicky seconded the motion. ROLL CALL 3-0-2 DeAtley and Schaefer abstained. Motion passed.

**PUBLIC HEARINGS:**

ZA2024-04: TIN CUP MANAGEMENT LLC (QUENTIN MCNEW) A RESOLUTION CONCERNING A REZONING FOR 7.35± ACRES OF LAND FROM R-1B SINGLE-FAMILY RESIDENTIAL AND R-1C SINGLE-FAMILY RESIDENTIAL DISTRICTS TO R-1C SINGLE-FAMILY RESIDENTIAL AND R-2 TWO-FAMILY RESIDENTIAL DISTRICTS LOCATED ON THE SOUTH SIDE OF TIN CUP ROAD APPROXIMATELY 1,300 FEET EAST OF THE TIN CUP ROAD AND LAKE OF THE WOODS ROAD INTERSECTION, COMMONLY KNOWN AS 1715 TIN CUP ROAD

Mr. DeAtley read through the public hearing instructions for the audience. The public hearing was opened, and staff asked to give a summary of the case.

Abby Heckman presented information from the posted staff report. The rezoning would not be tied to the zoning exhibit map that shows the subdivision layout. Any future subdivision would need to be approved by the Board of Trustees.

Mr. DeAtley asked if there were any questions for staff.

Quentin McNew stated he has looked into lots of concepts. The interest next to Fox Run is not single-family detached due to the transient nature of the RV park. The R2 zoning is proposed a street away from Fox Run to not negatively affect the neighbors. He stated he was proposing a zoning progression from single-family, two-family and then the RV park. He plans to keep the green space buffer of trees and there will be a separate entrance on to Tin Cup Road. He stated that low density residential averages 2-3 children per household and higher density residential in the area averages less children per household. There is existing R-2 zoning across

the street with high value. He likes it to be quiet, so he has a shared interest with the neighbors. He stated he looked today and there are only 2 homes for sale within Mahomet area that are less than \$350,000. He stated housing shortage issues will continue with high interest rates.

Mr. DeAtley asked if there was anyone from the public that would like to comment.

Alajandra Hernandez asked for an explanation of the school impact, asked about future development promises and changes to the plan and asked about effects on long term property values.

Erin Kessler, resident of Fox Run Subdivision, stated concerns about the developer, proximity of R-2 zoning to her home, density and building quality. She supported the existing zoning and plan because it provided a green space buffer between the new development and her existing home.

Andrew Kessler, lives at 101 Fox Run Drive, gave a background of the places he has lived and stated growth is necessary but high-density development doesn't belong here and there is plenty elsewhere. He stated concerns about the schools and that there needs to be a focus on the impact on the town which includes the schools. He asked if the owner plans to develop the property.

Payton Judy, lives at 103 Fox Run Drive, stated the trees are important to him and they were never transferred to the HOA.

Abby Heckman stated she forwarded the email sent in advance by Bill Schriver to the Commission so they are aware.

Bill Schriver, Village resident, stated schools are overcrowded. He stated the impact to the schools is one of the most important rezoning factors to consider.

Tim Layhe, local real estate broker, stated this property was part of a master plan from 20 years ago and you have a developer wanting to develop his personal land.

Andrew Kessler stated high density is what is being debated, not growth.

Alejandra Hernandez, 203 Fox Run Drive, stated growth is necessary and there is a shortage of housing but grown needs to be responsible.

Quentin McNew stated this development is within the Village and will help Mahomet taxes, commercial development helps offsite school taxes. He stated commercial development interest was warehousing and he didn't think that was highest and best use for the area. He stated he lives on site and the campground and keeping all the trees he can is important. He stated separating the trees from the property now would mess up future development. He stated that he intends to build a couple of the homes, but he has talked to other builders of R2 development to partner with someone.

Mr. Buzicky asked if with future development he would be willing to maintain the tree transition.

Quentin McNew stated yes.

Mr. Schaefer asked why the trees haven't been transferred yet.

Abby Heckman stated she would help answer that question. She stated that previously a preliminary plat was approved which showed an outlot that included the tree line and on the plat it was shown that the intention was to transfer that area to the Fox Run HOA. The developer did not proceed with construction plans or a final plat for the subdivision and therefore no plat was recorded. That previous preliminary plat approval is no longer valid. Village ordinances do not require the developer to provide the outlot and transfer it to the HOA. The developer offered that feature to help with support for his project. The previous subdivision layout needed waivers related to roadway connections. The concept subdivision plan for the proposed rezoning will also need waivers. A condition of a future waiver request approval could be that the tree line has to be provided to the HOA but it would only apply if the developer proceeded with the development. It is not a condition of a rezoning. Mrs. Kessler pointed out that the outlot for the tree line is not shown behind her house. I have not asked the developer if this is true but I would assume it is not shown as a separate outlot in that area because there is not enough land area in that area to meet zoning if it is separate but I do believe the same preservation could be achieved on the lot with an easement or other avenue to achieve tree line preservation without reducing the overall land area for the creation of lots. This is projecting into the future, and waivers are a Board action.

Joe Chamley stated a condition related to the tree line cannot be added as a condition of the rezoning.

Mr. DeAtley asked staff to go over uses allowed in R2 zoning.

Abby Heckman stated R-1B and R-1C allow the same uses which include single-family homes, parks, schools, churches and other public uses. The minimum lot size is different in the 2 classifications, 10,000 SF in R-1B and 8,000 SF in R-1C. She stated that developers like R-1C zoning for flexibility since the geometry doesn't always work out. R-2 district uses allowed are single-family home, duplex (2 homes on one lot), common lot line dwelling (2 attached dwellings on separate lots).

Erin Kessler asked why the tree line wasn't shown behind her home and why are there three (3) lots shown behind her house.

Mr. DeAtley stated that that question had been answered by staff relating to a possible easement and minimum lot sizes. He stated mathematically that is the way the lot layout works.

Erin Kessler stated the rezoning negatively impacts her home.

Quentin McNew stated the tree line would remain and that a roadway connection is required by Village Ordinances.

Abby Heckman stated a waiver was already required to not connect at Hillcrest. The whole point of these stub streets is to have a traffic network that is interconnected. The roadway construction project happening at the Fox Run Subdivision entrance currently has likely been problematic given there is no other roadway exit for the Fow Run Subdivision. Staff was supportive of the previous waiver request to not connect to one of the two stub streets adjacent to this property. Staff did not care which one was connected but having no connection would not be supported by staff as the connection provides a safe alternative for access.

Mr. DeAtley stated waiver for street connection is not a consideration of the rezoning and would be considered as part of a future plat request.

Rafael Hernandez asked what the maximum number of families that could reside in the property under the proposed zoning.

Abby Heckman stated there are 33 single-family homes shown on the subdivision exhibit provided.

Rafael Hernandez stated that if the average number of children per home is 2 then that would be 66 additional children to the schools.

Patrick Brown stated if you are using theoretical numbers you don't know. The census states the average is 2.6-2.7 people per household, that would average one child per house, so you don't know how many children will be living there. If you take the number of lots by the 2.7 average that would be a population increase of 89 total people.

Rafael Hernandez stated the calculation of children needed to be more conservative.

Abby Heckman stated the school district is sent a copy of any proposed plats and the Village did not receive any negative comments from the school district related to the previous plat that was approved.

Mr. Buchanan stated 22 units were planned with the current zoning. The ask is for 11 additional units for a total of 33.

Alejandra Hernandez stated the schools are full and need to be considered.

Buchanan moved to close the public hearing. Schaefer seconded the motion. ROLL CALL. 5-0. The public hearing was closed.

**RESOLUTIONS and MOTIONS (TO BE ACTED UPON):**

ZA2024-04: TIN CUP MANAGEMENT LLC (QUENTIN MCNEW) A RESOLUTION CONCERNING A REZONING FOR 7.35± ACRES OF LAND FROM R-1B SINGLE-FAMILY RESIDENTIAL AND R-1C SINGLE-FAMILY RESIDENTIAL DISTRICTS TO R-1C SINGLE-FAMILY RESIDENTIAL AND R-2 TWO-FAMILY RESIDENTIAL DISTRICTS LOCATED ON THE SOUTH SIDE OF TIN CUP ROAD APPROXIMATELY 1,300 FEET EAST OF THE TIN CUP ROAD AND LAKE OF THE WOODS ROAD INTERSECTION, COMMONLY KNOWN AS 1715 TIN CUP ROAD

Mr. Buzicky asked for the owner to explain the request change from two (2) years ago.

Quentin McNew stated when he started this process a couple years ago the interest rates were 3.5 percent which are now over 8 percent. He stated that those looking to develop the site stated the single-family homes next to Fox Run were ok but the side that is adjacent to the campground was not getting development interest. The R-1C and R2 would add more supply. He stated single-family detached homeowners don't want the RV park in their back yard. He wasn't going to start a new project with the interest rates where they are without having additional supply.

Mr. DeAtley stated he finds this request similar to other recent requests and find the property value issue less of a concern.

Abby Heckman stated lots are getting smaller. The amount of infrastructure touching the frontage of a lot directly impacts how much lots cost so we are seeing lots get narrower and slightly smaller because the biggest

cost is the public infrastructure. The size of homes being built on the lots does not appear to be getting smaller and the value of the home structure is typically the biggest part of the assessed value.

Mr. DeAtley stated that we do not know what homes would be built here. He stated that when he reviews cases, he always considers whether the existing home that has been there is going to have something similar adjacent. In this case the single-family homes that exist in Fox Run will have a single-family detached home behind them which addresses that concern. Regardless of how the Commission votes there will still be a review at the plat level.

Mr. Buzicky stated there is still a plat to get worked out if the zoning is approved.

Mr. Briney stated he had nothing else to add.

Mr. DeAtley went through the findings of fact. The Commission talked through some of the findings for clarification.

Buchanan moved to recommend granting ZA2024-04 with the findings of fact as stated. DeAtley seconded the motion. ROLL CALL. 5-0. Motion Passed.

BE IT THEREFORE RESOLVED this 7th day of May, 2024 by the Plan and Zoning Commission of the Village of Mahomet that:

- A. The Plan and Zoning Commission does hereby further set forth the following findings of fact concerning the requested zoning amendment:
1. The procedural requirements for zoning establishment or amendment HAVE been met.
  2. The proposed zoning DOES conform with the intent of the Village Comprehensive Plan.
  3. The proposed zoning IS consistent with the proposed use of the site.
  4. The proposed zoning WILL be compatible with the established land use pattern in the vicinity.
  5. The proposed zoning DOES NOT create an isolated, unrelated zoning district.
  6. The site IS suitable for the uses allowed in the proposed zoning district.
  7. The proposed zoning WILL be consistent with the health, safety and general welfare of the public.
  8. Major land uses in the neighborhood HAVE NOT changed since zoning was applied to this site.
  9. The proposed zoning IS consistent with the existing zoning designations in the surrounding area.
  10. The proposed zoning WILL NOT be contrary to the original purpose and intent of the Zoning Ordinance.
  11. The proposed zoning WILL NOT be injurious to the use and enjoyment of adjacent properties.
  12. The proposed zoning WILL promote the orderly development of the site and surrounding properties.
  13. The proposed zoning WILL NOT significantly adversely impact existing traffic patterns.
  14. Adequate facilities for municipal sanitary sewage disposal and water supply ARE available for the site from Sangamon Valley Public Water District, subject to its construction standards.
  15. Adequate provisions for stormwater drainage ARE available for this site.
  16. The proposed zoning WILL NOT adversely impact police protection or fire protection.
  17. The proposed zoning WILL impact schools or other public facilities.
  18. The proposed zoning WILL NOT conflict with existing public commitments for planned public improvements.
  19. The proposed zoning WILL NOT adversely influence living conditions in the immediate vicinity.
  20. The proposed zoning WILL preserve the essential character of the neighborhood in which it is located.
  21. The proposed change WILL NOT significantly alter the population density pattern.
  22. The value of adjacent property WILL NOT be diminished by the proposed zoning.
  23. The proposed zoning WILL enhance the value of the petitioner's property.

24. The proposed zoning WILL NOT constitute an entering wedge affecting the use or development of adjacent property.
  25. If denied, the petitioner WILL suffer deterioration to his or her property value.
  26. The proposed zoning DOES NOT correct an error in the original zoning of this site.
  27. If the property is currently vacant, the length of time the property has remained vacant as zoned HAS been considered in the context of land development in the area and in the vicinity of the subject property.
  28. The proposed change in zoning WILL result in private investment that would be beneficial to the development or redevelopment of a vacant property or deteriorated neighborhood.
  29. There IS a need in the community for additional land within the requested zoning district.
  30. The proposed zoning WILL NOT adversely impact agricultural farming operations in the vicinity of this site.
  31. The proposed rezoning IS consistent with Village Comprehensive Plan policies concerning the protection of prime farmland when appropriate.
  32. The proposed rezoning WILL NOT result in long term adverse environmental consequences to natural areas and wildlife habitat.
  33. The LaSalle Factors for evaluation of zoning decisions HAVE been considered during the review of this proposed rezoning request.
- B. The Plan and Zoning Commission does hereby recommend that the Board of Trustees of the Village of Mahomet GRANT the requested zoning map amendment for the subject property from R-1B Single-Family Residential and R-1C Single-Family Residential districts to R-1C Single-Family Residential and R-2 Two-Family Residential districts.

Abby Heckman stated the rezoning case will be presented to the Board of Trustees at their Study Session in two (2) weeks for discussion and then the first opportunity for a final decision would be in three (3) weeks.

**COMMISSIONER / STAFF COMMENTS:** NEXT PZC MEETING – Tuesday June 4, 2024

Abby Heckman stated no cases were filed for June. The June meeting is cancelled. Please provide staff your availability for the July 2 meeting.

**ADJOURN:**

Buchanan moved to adjourn the meeting. Schaefer seconded the motion. ROLL CALL. 5-0. The meeting was adjourned at 7:46pm.

Respectfully,  
Abby Heckman, Village Planner